



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2406030  
**Applicant Name:** Mark Gordon  
**Address of Proposal:** 3420 14<sup>th</sup> Avenue West

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into four (4) unit lots. This subdivision of property is only for the purpose of allowing the sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The construction of townhouses is being reviewed Project #2307806.

The following approval is required:

**Short Subdivision** - to subdivide one existing parcel into four lots as a unit subdivision.  
(Chapter 23.24, Seattle Municipal Code).

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS  
☐ DNS with conditions  
☐ DNS involving non-exempt grading, or demolition,  
or involving another agency with jurisdiction.

**BACKGROUND DATA**

The 6,000 square foot project site is zoned Lowrise 1 (L-1) and developed with a duplex building and carport. The site is located mid-block along 14<sup>th</sup> Avenue West between West Ruffner Street and West Bertona Street on the northwest slope of Queen Anne hill. An unimproved alley borders the site to the east and 14<sup>th</sup> Avenue West borders the site to the west.

Surrounding property to the west across 14<sup>th</sup> Avenue West is zoned Lowrise 3/Residential Commercial (L-3/RC) and developed with multi-family housing; property to the north and south is zoned L-1 and developed with multi-family housing; property to the east is zoned Single Family 5000 (SF5000) and developed with single family homes.

The site topography is sloping, and is designated as a potential slide area and contains steep slopes pursuant to the Environmentally Critical Areas (ECA) ordinance. The steep slopes along the west and east property lines appear to be created as a result of right of way improvements, thus the project received an ECA exemption (Project #2306957). The exemption waives the steep slope development standards (i.e. - the threshold disturbance level of 30 percent of the steep slope critical area no longer applies); however, the site is still classified as an ECA site due to the potential slide area classification.

### Proposal Description

The applicant proposes to subdivide one parcel of land into four unit lots. Proposed unit lot areas are: Unit Lot A) 1,437 square feet, Unit Lot B) 1,437 square feet, Unit Lot C) 1,470 square feet and Unit Lot D) 1,658 square feet. Access to the units is from the alley via a driveway and central auto court.

DPD Project Number 2307806 to demolish existing structures and construct 4 townhouses on the proposal site is under review.

### Public Comments

One public comment was received during the public comment period which ended on September 8, 2004. The comments expressed were in support of the project.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC [23.24.040](#), the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the DPD Drainage, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. Because this is a unit lot subdivision, development standards apply to the parent lot. There is no minimum lot size requirement in the L-1 zone. The density standard stated in SMC Section 23.45.008, which permits no more than 1 unit for each 1600 square feet, is met for the development as a whole. The proposal conforms to development standards in all other respects. Hence, the proposal is deemed to comply with applicable Land Use Code requirements. Any additional new construction would be required to meet development standards of the Land Use Code for the parent lot.
2. The lots are provided vehicular access from an alley consistent with the requirements of the Code.

The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

Seattle City Light provides electrical service to the subject property and has indicated that an easement is required both overhead and underground. The easement as described in Seattle City Light memorandum dated September 20, 2004 to City of Seattle Short Subdivision No. 2406030 – P.M.# 250313-3-019 shall be included on the final plat prior to recording.

3. This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and Water Availability Certificate No. 2004-1193 was issued on August 17, 2004.

New construction with discharge to the sanitary sewer will require a side sewer permit. Plan review requirements regarding stormwater were made at the time of building permit application.

4. One objective of the subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. An equally important objective is to ensure that new development is compatible with neighborhood character. The proposed subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Address signage shall be posted such that addresses for all units are visible from 14<sup>th</sup> Avenue West and a covenant shall be recorded with the final plat to ensure that the address signage is maintained. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. This site is in an environmentally critical area; however, SMC 25.09.240 does not apply to unit lot subdivisions.
6. All trees are to be removed with the construction of the townhouse development.
7. Section 23.24.045 of the Seattle Municipal Code provides that sites developed or proposed to be developed with townhouses, cottage housing developments; residential cluster development and single-family residences may be subdivided into individual unit lots. The development as a whole shall meet development standards. However, as a result of this subdivision, development on the individual lots may be non-conforming. To assure that future owners have constructive notice that additional development may be limited due to nonconformities, the following statement shall be required to be included as a note on the final short subdivision:

*The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

The conformance of the proposed development as a whole with the applicable Code Provisions has been approved under Master Use Permit Number 2307806. Access easements and joint use and maintenance agreements shall be executed for parking areas and driveway and pedestrian access. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for Unit Lot Subdivisions.

### **SUMMARY - SHORT SUBDIVISION**

The unit lots to be created by this unit subdivision may not be individually consistent with the provisions of SMC 23.24.045 for the Lowrise 1 zoning development standards such as setbacks, density, and structure width and depth. However, the development when considered as a whole meets all standards set forth in the Land Use Code. This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each unit lot and service is assured, subject to standard conditions governing utility extensions. An adequate provision for drainage control has also been provided.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

## **CONDITIONS - SHORT SUBDIVISION**

### **Conditions of Approval Prior to Recording**

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light on the final Short Subdivision.
4. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
5. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress, utility and pedestrian easements.
6. Provide a covenant and/or an easement to allow for posting of unit lot addresses visible from 14<sup>th</sup> Avenue West and to ensure that the address signage is maintained.

Signature: (signature on file) Date: December 13, 2004  
Jess Harris, AICP, Senior Land Use Planner